

PROB 12B
(Rev. 09/03)

UNITED STATES DISTRICT COURT

for

DISTRICT OF OREGON

PETITION AND ORDER
FOR MODIFICATION OF
CONDITIONS OF
SUPERVISED RELEASE

U.S.A. vs. JEFFREY JOHN CHURCH

Docket No. CR 03-430-01-KI

FILED 10 JUL 9 15:24 USDC-ORP
Petition on Probation and Supervised Release

COMES NOW JOHN SIEBENALER, PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct and attitude of Jeffrey John Church, who was placed on supervision by The Honorable Garr M. King sitting in the court at Portland, Oregon, on the 16th day of June, 2008, who fixed the period of supervision at 2 years,* and imposed the general terms and conditions theretofore adopted by the court.

*Term of supervised release commenced on November 26, 2008.


RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

A recent review of the social networking website Facebook revealed defendant has a Facebook profile, indicating defendant has had access to the internet and a computer. When confronted about the Facebook profile, defendant denied personally accessing the internet for any reason. He denied having a computer or computing device, including any phone, capable of connecting to the internet. A search of defendant's vehicle and residence on June 29, 2010, uncovered a Smartphone hidden in defendant's vehicle and a wireless adapter used to connect a computer to the internet. A search of the Smartphone revealed the phone is capable of connecting to the internet. A review of the phone's web browser revealed defendant has had the phone since the middle of May. He has accessed numerous web

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PRAYING THAT THE COURT WILL ORDER upon consideration of factors set forth in 18 USC § 3553(a), that defendant shall adhere to a home detention schedule as prescribed by the probation officer for a period of 60 days, which may include radio frequency, global positioning surveillance, or other means of location monitoring as directed by the probation officer. The defendant's employer or other third parties may be contacted at the probation officer's discretion to confirm the defendant's compliance with the home detention program. The defendant shall pay all or part of the costs of home detention as determined by the probation officer, and may be held responsible for any damage to the monitoring equipment.

Respectfully,

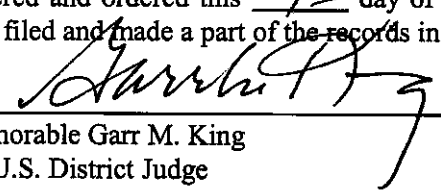

John Siebenaler
Senior U.S. Probation Officer

Place: Portland, Oregon

Date: July 8, 2010

ORDER OF THE COURT

Considered and ordered this 9TH day of July, 2010, and ordered filed and made a part of the records in the above case.


The Honorable Garr M. King
Senior U.S. District Judge

RE: CHURCH, Jeffrey John
Petition and Order for Modification of Conditions

sites, including a significant number of adult pornographic sites and personal dating sites intended for anonymous sexual encounters. No evidence of child pornography was found on the phone. After being confronted with the findings of the search, defendant admitted he had been on the internet and that he purchased the phone without seeking permission from the probation officer. He used the Smartphone to access the internet. He acknowledged being aware that he is prohibited from this activity, but choose to do so anyway.

As a result of supervised release violations of accessing the internet without permission and not providing truthful information about his computer use, as well as his use of pornography, I recommend supervised release be modified to include the added special condition of 60 days home confinement. Defendant agrees with the recommendation and waived an appearance before the Court.

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON—PROBATION OFFICE**

**WAIVER OF HEARING TO MODIFY CONDITIONS
OF PROBATION/SUPERVISED RELEASE**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release.

The defendant shall adhere to a home detention schedule as prescribed by the probation officer for a period of 60 days, which may include radio frequency, global positioning surveillance, or other means of location monitoring as directed by the probation officer. The defendant's employer or other third parties may be contacted at the probation officer's discretion to confirm the defendant's compliance with the home detention program. The defendant shall pay all or part of the costs of home detention as determined by the probation officer, and may be held responsible for any damage to the monitoring equipment.

Witness: _____

U.S. Probation Officer

Signed: _____

Jeffrey John Church
Probationer or Supervised Releasee

Date: _____

7/2/10